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12-4-1987

Cigarette And Tobacco Tax. Benefit Fund. And .

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Cigarette And Tobacco Tax. Benefit Fund. And . California Initiative 419 (1987).
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Office of the Secretary of State
March Fong Eu

1230 J Street
Sacramento, California 95814

Elections Division
(916) 445-0820
TDD: (800) 833-8683

December 4, 1987

TO ALL REGISTRARS OF VOTERS, OR COUNTY CLERKS, AND PROPONENTS (87105)

Pursuant to Section 3513 of the Elections Code, we transmit herewith a copy of the Title and Summary prepared by the Attorney General on a proposed Initiative Measure entitled:

**CIGARETTE AND TOBACCO TAX. BENEFIT FUND.
INITIATIVE STATUTE AND CONSTITUTIONAL AMENDMENT.**

Circulating and Filing Schedule

1. Minimum number of signatures required.....595,485
Cal. Const., Art. II, Sec. 8(b).
2. Official Summary Date.....Friday, 12/04/87
Elec. C., Sec. 3513.
3. Petition Sections:
 - a. First day Proponents can circulate Sections for
signatures.....Friday, 12/04/87
Elec. C., Sec. 3513.
 - b. Last day Proponents can circulate and file with
the county. All Sections are to be filed at
the same time within each
county.....Monday, 05/02/88
Elec. C., Secs. 3513, 3520(a).
 - c. Last day for county to determine total number
of signatures affixed to petition and to
transmit total to the Secretary of State.....Thursday, 05/09/88

(If the Proponents file the petition with the county on a date prior to 05/02/88, the county has five working days from the filing of the petition to determine the total number of signatures affixed to the petition and to transmit the total to the Secretary of State.) Elec. C., Sec. 3520(b).

- + PLEASE NOTE: To the Proponents who may wish to qualify for the November 8, 1988 General Election. The law allows approximately 85 days for county election officials to check and report petition signatures and transmit results. The law also requires that this process be completed 131 days before the election in which the people will vote on the initiative. It is possible that the county may not need precisely 85 days. But if you want to be sure that this initiative qualifies for the November 8, 1988 General Election, you should file this petition with the county before April 6, 1988.

- d. Secretary of State determines whether the total number of signatures filed with all county clerks meets the minimum number of required signatures, and notifies the counties.....Monday, 05/16/88**

- e. Last day for county to determine total number of qualified voters who signed the petition, and to transmit certificate with a blank copy of the petition to the Secretary of State.....Tuesday, 05/31/88

(If the Secretary of State notifies the county to determine the number of qualified voters who signed the petition on a date other than 05/09/88 the last day is not later than the fifteenth day after the county's receipt of notification.)
Elec. C., Sec. 3520(d), (e).

- f. If the signature count is more than 655,033 or less than 565,711, then the Secretary of State certifies the petition has qualified or failed, and notifies the counties. If the signature count is between 565,711 and 655,033 inclusive, then the Secretary of State notifies the counties using the random sampling technique to determine the validity of all signatures.....Wednesday, 06/08/88**

- g. Last day for county to determine actual number of all qualified voters who signed the petition, and to transmit certificate with a blank copy of the petition to the Secretary of State.....Thursday, 07/21/88

(If the Secretary of State notifies the county to determine the number of qualified voters who have signed the petition on a date other than 05/31/88, the last day is not later than the thirtieth working day after county's receipt of notification.)
Elec. C., Sec. 3521(b), (c).

- h. Secretary of State certifies whether the petition has been signed by the number of qualified voters required to declare the petition sufficient.....Sunday, 07/24/88


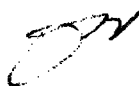
**Date varies based on receipt of county certification.

4. The Proponents of the above named measure are:

Neil C. Andrews
American Cancer Society
1029 K Street Mall, Suite 44
Sacramento, California 95814
(916) 448-0500

Carolyn Martin
1077 Castec
Sacramento, California 95864

Sincerely,


 DEBORAH SEILER
Assistant to the Secretary of State
Elections and Political Reform

NOTE TO PROPONENTS: Your attention is directed to Elections Code Sections 41, 44, 3501, 3507, 3508, 3516, 3517, and 3519 for appropriate format and type considerations in printing, typing, and otherwise preparing your initiative petition for circulation and signatures. Your attention is further directed to the campaign disclosure requirements of the Political Reform Act of 1974, Government Code Section 81000 et seq.

Attachment: POLITICAL REFORM ACT OF 1974 REQUIREMENTS



1515 K STREET, SUITE 511
P.O. BOX 944255
SACRAMENTO 94244-2550
(916) 445-9555

(916) 323-1995

December 4, 1987

FILED
In the office of the Secretary of State
of the State of California

DEC 04 1987

MARCH FONG EU, Secretary of State

By L. J. [Signature]
Deputy

Honorable March Fong Eu
Secretary of State
1230 J Street
Sacramento, CA 95814

Dear Mrs. Eu:

Initiative Title and Summary.
Subject: CIGARETTE AND TOBACCO TAX. BENEFIT FUND.
CONSTITUTIONAL AMENDMENT. INITIATIVE STATUTE.
Our File No.: SA 87 RF 0028

Pursuant to the provisions of section 3503 and 3513 of the Elections code, you are hereby notified that on this day we mailed to the proponent of the above identified proposed initiative our title and summary.

Enclosed is a copy of our transmittal letter to the proponent, a copy of our title and summary, a declaration of mailing thereof, and a copy of the proposed measure.

According to information available in our records, the name and address of the proponent is as stated on the declaration of mailing.

Very truly yours,

JOHN K. VAN DE KAMP
Attorney General

Floyd D. Shimmer

FLOYD D. SHIMOMURA
Deputy Attorney General

FDS:rrc

Enclosure

COALITION *for a* HEALTHY CALIFORNIA

AMENDMENT #1

American Cancer Society
California Division
American Heart Association
California Affiliate
American Lung Association
of California
Blue Cross
of California
Americans for
Non-Smokers Rights
California Association of
School Health Educators
California Association for
Medical Laboratory Technology
California Dental Association
California Hospital Association
California Medical Society
California Nurses Association
California Public Health
Association
California School Boards
Association
California Society of
Periodontists
California State Fireman's
Association
California Thoracic Society
Campaign California
Health Officers Association
of California
The Planning and Conservation
League of California

Jack Nicholl
Campaign Director

October 29, 1987

Honorable John Van de Kamp
Attorney General
State of California

RE: Amendment to proposed Tobacco Tax and Health
Protection Initiative

File No.: SA87RF0028


Dear Mr. Van de Kamp:

Enclosed are several amendments to the proposed Tobacco Tax and Health Protection Initiative. We are enclosing the entire draft with the changes we have made. We hope that these changes will not affect the original 40 day review period.

Thank you for considering this request.

Sincerely,


Carolyn Martin


Neil G. Andrews, M.D.

Date: December 4, 1987
File No. SA 87 RF 0028

The Attorney General of California has prepared the following title and summary of the chief purpose and points of the proposed measure:

CIGARETTE AND TOBACCO TAX. BENEFIT FUND. CONSTITUTIONAL AMENDMENT. INITIATIVE STATUTE. Imposes additional tax upon cigarette distributors of one and one-fourth cents (1 and 1/4 cents) for each cigarette distributed. Imposes tax upon distributors of other tobacco products which is equivalent to combined rate of tax imposed on cigarettes. Directs State Board of Equalization to determine this tax annually. Places moneys raised in special account which can only be used for: treatment; research of tobacco related diseases; school and community health education programs about tobacco; fire prevention; and environmental conservation and damage restoration programs. Declares revenues not subject to appropriations limit. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local governments: If adopted in November 1988, will produce approximately \$320 million in special fund revenues in 1988-89 (part-year) and \$650 million in 1989-90 (first full-year). Annual administrative costs are estimated at \$500,000. There will be no substantial net effect on sales tax revenues to the state, cities and counties.

OCT 30 1987

PAGE NO. 1

12-point
Boldface
Type

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

The Attorney General of California has prepared the following title and summary of the chief purpose and points of the proposed measure:

(Here set forth the title and summary prepared by the Attorney General. This title and summary must also be printed across the top of each page of the petition whereon signatures are to appear.)

Type: Roman
Boldface not
smaller than
12-point

TO THE HONORABLE SECRETARY OF STATE OF CALIFORNIA

We, the undersigned, registered, qualified voters of California, resident of ____ County (or City and County), hereby propose amendments to the Constitution and statutes of California, relating to the imposition and distribution of excise taxes on cigarette and tobacco products, and petition the Secretary of State to submit the same to the voters of California for their adoption or rejection at the next succeeding general election or at any special statewide election prior to that general election or otherwise as provided by law. The proposed

constitutional and statutory amendments read/ as follows:

SECTION 1. This measure shall be known and may be cited as the Tobacco Tax and Health Protection Act of 1988.

SEC. 2. The people find and declare as follows:

(a) Tobacco use is the single most preventable cause of death and disease in America.

(b) Tobacco-related diseases create immense suffering and personal loss, and a staggering economic cost which all Californians have to pay.

(c) Tobacco-related diseases are a major burden on state and local governments by requiring them to provide medical care and health services.

(d) Tobacco use causes substantial environmental damage, and property damage and loss of life due to fire.

(e) To reduce the incidence of cancer, heart, and lung disease and to reduce the economic costs of tobacco use in California, it is the intent of the people of California to increase the state tax ^{cigarettes and} on tobacco

products and do all of the following:

(1) Reduce smoking and other tobacco use among children.

(2) Support medical research into

tobacco-related cancer, heart, and lung diseases.

(3) Treat people suffering from tobacco-related diseases.

(4) In recognition of the uncompensated costs of tobacco-related illness, support treatment of patients who cannot afford to pay for services.

SEC. 3. Section 12 is added to Article XIII B of the Constitution, to read:

SEC. 12. "Appropriations subject to limitation" of each entity of government shall not include appropriations of revenue from the Cigarette and Tobacco Products Surtax Fund created by the Tobacco Tax and Health Protection Act of 1988. No adjustment in the appropriations limit of any entity of government shall be required pursuant to Section 3 as a result of revenue being deposited in or appropriated from the Cigarette and Tobacco Products Surtax Fund created by the Tobacco Tax and Health Protection Act of 1988.

SEC. 4. Article 2 (commencing with Section 30121) is added to Chapter 2 of Part 13 of Division 2 of the Revenue and Taxation Code, to read:

Article 2. Cigarette and Tobacco Products Surtax

30121. For purposes of this article:

(a) "Cigarettes" has the same meaning as in Section 30003, as it read on January 1, 1988.

(b) "Tobacco products" includes, but is not limited to, all forms of cigars, smoking tobacco, chewing tobacco, snuff, and any other articles or products made of, or containing at least 50 percent, tobacco, but does not include cigarettes.

(c) "Fund" means the Cigarette and Tobacco Products Surtax Fund created by Section 30122.

30122. (a) The Cigarette and Tobacco Products Surtax Fund is hereby created in the State Treasury. The fund shall consist of all revenues deposited therein pursuant to this article. Moneys in the fund may only be appropriated for the following purposes:

(1) Tobacco-related school and community health education programs.

(2) Tobacco-related disease research.

(3) Medical and hospital care and treatment of patients who cannot afford to pay for those services, and for whom payment will not be made through any private coverage or by any program funded in whole or in part by the federal government.

(4) Programs for fire prevention; environmental

conservation; protection, restoration, enhancement, and maintenance of fish, waterfowl, and wildlife habitat areas; and enhancement of state and local park and recreation purposes.

(b) The fund consists of six separate accounts, as follows:

(1) The Health Education Account, which shall only be available for appropriation for programs for the prevention and reduction of tobacco use, primarily among children, through school and community health education programs.

(2) The Hospital Services Account, which shall only be available for appropriation for payment to public and private hospitals licensed pursuant to subdivision (a) of Section 1250 of the Health and Safety Code for the treatment of hospital patients who cannot afford to pay for that treatment and for whom payment for hospital services will not be made through private coverage or by any program funded in whole or in part by the federal government.

(3) The Physician Services Account, which shall only be available for appropriation for payment to physicians for services to patients who cannot afford to pay for those services, and for whom payment for physician

services will not be made through private coverage or by any program funded in whole or in part by the federal government.

(4) The Research Account, which shall only be available for appropriation for tobacco-related disease research.

(5) The Public Resources Account, which shall only be available for appropriation in equal amounts for both of the following:

(A) Programs to protect, restore, enhance, or maintain fish, waterfowl, and wildlife habitat on an equally funded basis.

(B) Programs to enhance state and local park and recreation resources.

(6) The Unallocated Account, which shall be available for appropriation for any purpose specified in subdivision (a).

30123. (a) In addition to the tax imposed upon the distribution of cigarettes by this chapter, there shall be imposed upon every distributor a tax upon the distribution of cigarettes at the rate of twelve and one-half mills (\$0.0125) for each cigarette distributed.

(b) There shall be imposed upon every distributor a tax upon the distribution of tobacco products, based on the wholesale cost of these products,

at a tax rate, as determined annually by the State Board of Equalization, which is equivalent to the combined rate of tax imposed on cigarettes by subdivision (a) and the other provisions of this part.

30124. (a) With the exception of payments of refunds made pursuant to Article 1 (commencing with Section 30361) of Chapter 6, and reimbursement of the State Board of Equalization for expenses incurred in the administration and collection of the tax imposed by Section 30123, pursuant to its powers vested by this part, all moneys raised pursuant to the taxes imposed by Section 30123 shall be deposited into the fund as provided in subdivision (b).

(b) Moneys shall be deposited in the fund according to the following formula:

(1) Twenty percent ~~of cigarette tax~~ shall be deposited in the Health Education Account.

(2) Thirty-five percent shall be deposited in the Hospital Services Account.

(3) Ten percent shall be deposited in the Physician Services Account.

(4) Five percent shall be deposited in the Research Account.

(5) Five percent shall be deposited in the

Public Resources Account.

(6) Twenty-five percent shall be deposited in the Unallocated Account.

(c) Any amounts appropriated from any account specified in subdivision (b) which is not encumbered within the period prescribed by law shall revert to the account from which it was appropriated.

30125. Funds expended pursuant to this article shall be used only for the purposes expressed in this article and shall be used to supplement existing levels of service and not to fund existing levels of service.

30126. The annual determination required of the State Board of Equalization pursuant to subdivision (b) of Section 30122³ shall be made based on the wholesale cost of tobacco products as of March 1, and shall be effective during the state's next fiscal year.

30128. This article shall take effect on January 1, 1989.

30129. The tax imposed by Section 30122³ shall be imposed on every cigarette and tobacco product in the possession or under the control of every dealer and distributor on and after 12:01 a.m. on January 1, 1989, pursuant to rules and regulations promulgated by the State Board of Equalization.

30130. This article may be amended only by vote of four-fifths of the membership of both houses of the Legislature. All amendments to this article must be consistent with its purposes.

SEC. 6. If any section, of this measure, or part thereof, is for any reason held to be invalid or unconstitutional, the remaining sections shall not be affected but will remain in full force and effect.

- 0 -



Office of the Secretary of State
March Fong Eu

Executive Office
1230 J Street
Sacramento, California 95814

#419

(916) 445-6371

June 1, 1988

TO: All County Clerks/Registrars of Voters (88157)

Pursuant to Section 3523 of the Elections Code, I hereby certify that on June 1, 1988 the certificates received from the County Clerks or Registrars of Voters by the Secretary of State established that the Initiative Statute and Constitutional Amendment, CIGARETTE AND TOBACCO TAX. BENEFIT FUND, has been signed by the requisite number of qualified electors needed to declare the petition sufficient. The CIGARETTE AND TOBACCO TAX. BENEFIT FUND. CONSTITUTIONAL AMENDMENT. INITIATIVE STATUTE. is therefore, qualified for the November 8, 1988 General Election.

CIGARETTE AND TOBACCO TAX. BENEFIT FUND. CONSTITUTIONAL AMENDMENT. INITIATIVE STATUTE. Imposes additional tax upon cigarette distributors of one and one-fourth cents (1 and $\frac{1}{4}$ cents) for each cigarette distributed. Imposes tax upon distributors of other tobacco products which is equivalent to combined rate of tax imposed on cigarettes. Directs State Board of Equalization to determine this tax annually. Places moneys raised in special account which can only be used for: treatment; research of tobacco related diseases; school and community health education programs about tobacco; fire prevention; and environmental conservation and damage restoration programs. Declares revenues not subject to appropriations limit. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local governments: If adopted in November 1988, will produce approximately \$320 million in special fund revenues in 1988-89 (part-year) and \$650 million in 1989-90 (first full-year). Annual administrative costs are estimated at \$500,000. There will be no substantial net effect on sales tax revenues to the state, cities and counties.

Sincerely,

March Fong Eu

MARCH FONG EU





Office of the Secretary of State
March Fong Eu

1230 J Street
Sacramento, California 95814

Elections Division
(916) 445-0820
TDD: (800) 833-8683

December 3, 1987

TO ALL REGISTRARS OF VOTERS, OR COUNTY CLERKS, AND PROPONENTS (87105)

Pursuant to Section 3513 of the Elections Code, we transmit herewith a copy of the Title and Summary prepared by the Attorney General on a proposed Initiative Measure entitled:

**CIGARETTE AND TOBACCO TAX. BENEFIT FUND.
INITIATIVE STATUTE.**

Circulating and Filing Schedule

1. Minimum number of signatures required.....372,178
Cal. Const., Art. II, Sec. 8(b).
2. Official Summary Date.....Thursday, 12/3/87
Elec. C., Sec. 3513.
3. Petition Sections:
 - a. First day Proponent can circulate Sections for
signatures.....Thursday, 12/3/87
Elec. C., Sec. 3513.
 - b. Last day Proponent can circulate and file with
the county. All Sections are to be filed at
the same time within each
county.....Monday, 05/02/88*
Elec. C., Secs. 3513, 3520(a).
 - c. Last day for county to determine total number
of signatures affixed to petition and to
transmit total to the Secretary of State.....Thursday, 05/09/88

(If the Proponents file the petition with the county on a date prior to 05/02/88, the county has five working days from the filing of the petition to determine the total number of signatures affixed to the petition and to transmit the total to the Secretary of State.) Elec. C., Sec. 3520(b).

* Date adjusted for official deadline which falls on Sunday. Elec. C., Sec. 60

+ PLEASE NOTE: To the Proponent who may wish to qualify for the November 8, 1988 General Election. The law allows approximately 95 days for county election officials to check and report petition signatures and transmit results. The law also requires that this process be completed 131 days before the election in which the people will vote on the initiative. It is possible that the county may not need precisely 95 days. But if you want to be sure that this initiative qualifies for the November 8, 1988 General Election, you should file this petition with the county before April 4, 1988.

CIGARETTE AND TOBACCO TAX. BENEFIT FUND.
INITIATIVE STATUTE.

Page 2

December 3, 1987

- d. Secretary of State determines whether the total number of signatures filed with all county clerks meets the minimum number of required signatures, and notifies the counties.....Monday, 05/16/88**

- e. Last day for county to determine total number of qualified voters who signed the petition, and to transmit certificate with a blank copy of the petition to the Secretary of State.....Tuesday, 05/31/88

(If the Secretary of State notifies the county to determine the number of qualified voters who signed the petition on a date other than 05/09/88 the last day is not later than the fifteenth day after the county's receipt of notification.)
Elec. C., Sec. 3520(d), (e).

- f. If the signature count is more than 409,395 or less than 353,569, then the Secretary of State certifies the petition has qualified or failed, and notifies the counties. If the signature count is between 353,569 and 409,395 inclusive, then the Secretary of State notifies the counties using the random sampling technique to determine the validity of all signatures.....Wednesday, 06/08/88**

- g. Last day for county to determine actual number of all qualified voters who signed the petition, and to transmit certificate with a blank copy of the petition to the Secretary of State.....Thursday, 07/21/88

(If the Secretary of State notifies the county to determine the number of qualified voters who have signed the petition on a date other than 05/31/88, the last day is not later than the thirtieth working day after county's receipt of notification.)
Elec. C., Sec. 3521(b), (c).

- h. Secretary of State certifies whether the petition has been signed by the number of qualified voters required to declare the petition sufficient.....Sunday, 07/24/88

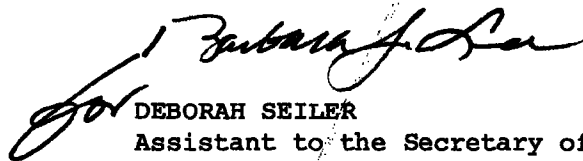
**Date varies based on receipt of county certification.

4. The Proponents of the above named measure are:

Neil C. Andrews
American Cancer Society
1029 K Street Mall, Suite 44
Sacramento, California 95814
(916) 448-0500

Carolyn Martin
1077 Castec
Sacramento, California 95864

Sincerely,



DEBORAH SEILER
Assistant to the Secretary of State
Elections and Political Reform

NOTE TO PROPONENT: Your attention is directed to Elections Code Sections 41, 44, 3501, 3507, 3508, 3516, 3517, and 3519 for appropriate format and type considerations in printing, typing, and otherwise preparing your initiative petition for circulation and signatures. Your attention is further directed to the campaign disclosure requirements of the Political Reform Act of 1974, Government Code Section 81000 et seq.

Attachment: POLITICAL REFORM ACT OF 1974 REQUIREMENTS

1 0-10

Date: December 3, 1987
File No. SA 87 RF 0028

The Attorney General of California has prepared the following title and summary of the chief purpose and points of the proposed measure:

CIGARETTE AND TOBACCO TAX. BENEFIT FUND. INITIATIVE STATUTE.

Imposes additional tax upon cigarette distributors of one and one-fourth cents (1 and 1/4 cents) for each cigarette distributed. Imposes tax upon distributors of other tobacco products which is equivalent to combined rate of tax imposed on cigarettes. Directs State Board of Equalization to determine this tax annually. Places moneys raised in a special account which can only be used for: research and treatment of tobacco related diseases; school and community health education programs about tobacco; fire prevention; and environmental conservation and damage restoration programs. Declares revenues not subject to appropriations limit. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local governments: If adopted in November 1988, will produce approximately \$320 million in special fund revenues in 1988-89 (part-year) and \$650 million in 1989-90 (first full-year). Annual administrative costs are estimated at \$500,000. There will be no substantial net effect on sales tax revenues to the state, cities and counties.

JOHN K. VAN DE KAMP
Attorney General

State of California
DEPARTMENT OF JUSTICE



1515 K STREET, SUITE 511
P.O. BOX 944255
SACRAMENTO 94244-2550
(916) 445-9555

(916) 323-1995

December 3, 1987

Honorable March Fong Eu
Secretary of State
1230 J Street
Sacramento, CA 95814

FILED
In the office of the Secretary of State
of the State of California

DEC 03 1987

MARCH FONG EU, Secretary of State

By *[Signature]*
Deputy

Dear Mrs. Eu:

Initiative Title and Summary.
Subject: CIGARETTE AND TOBACCO TAX. BENEFIT FUND.
INITIATIVE STATUTE.
Our File No.: SA 87 RF 0028

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According to information available in our records, the name and address of the proponent is as stated on the declaration of mailing.

Very truly yours,

JOHN K. VAN DE KAMP
Attorney General

Floyd D. Shimomura

FLOYD D. SHIMOMURA
Deputy Attorney General

FDS:rrc

Enclosure

COALITION for a HEALTHY CALIFORNIA

AMENDMENT #1

October 29, 1987

American Cancer Society
California Division
American Heart Association
California Affiliate
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of California
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Non-Smokers Rights
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California State Fireman's
Association
California Thoracic Society
Campaign California
Health Officers Association
of California
The Planning and Conservation
League of California

Jack Nicholl
Campaign Director

Honorable John Van de Kamp
Attorney General
State of California

RE: Amendment to proposed Tobacco Tax and Health
Protection Initiative

File No.: SA87RF0028

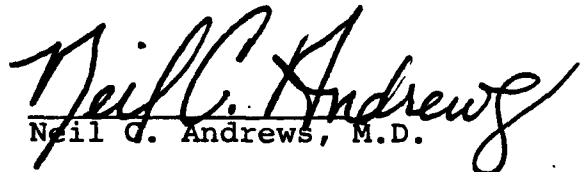
Dear Mr. Van de Kamp:

Enclosed are several amendments to the proposed Tobacco Tax and Health Protection Initiative. We are enclosing the entire draft with the changes we have made. We hope that these changes will not affect the original 40 day review period.

Thank you for considering this request.

Sincerely,


Carolyn Martin


Neil G. Andrews, M.D.

OCT 30 1987 0:10

PAGE NO. 1

12-point
Boldface
Type

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

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(Here set forth the title and summary prepared by the Attorney General. This title and summary must also be printed across the top of each page of the petition whereon signatures are to appear.)

Type: Roman
Boldface not
smaller than
12-point

TO THE HONORABLE SECRETARY OF STATE OF CALIFORNIA

We, the undersigned, registered, qualified voters of California, resident of ____ County (or City and County), hereby propose amendments to the Constitution and statutes of California, relating to the imposition and distribution of excise taxes on cigarette and tobacco products, and petition the Secretary of State to submit the same to the voters of California for their adoption or rejection at the next succeeding general election or at any special statewide election prior to that general election or otherwise as provided by law. The proposed

constitutional and statutory amendments read as follows:

SECTION 1. This measure shall be known and may be cited as the Tobacco Tax and Health Protection Act of 1988.

SEC. 2. The people find and declare as follows:

(a) Tobacco use is the single most preventable cause of death and disease in America.

(b) Tobacco-related diseases create immense suffering and personal loss, and a staggering economic cost which all Californians have to pay.

(c) Tobacco-related diseases are a major burden on state and local governments by requiring them to provide medical care and health services.

(d) Tobacco use causes substantial environmental damage, and property damage and loss of life due to fire.

(e) To reduce the incidence of cancer, heart, and lung disease and to reduce the economic costs of tobacco use in California, it is the intent of the people of California to increase the state tax on cigarettes and tobacco products and do all of the following:

(1) Reduce smoking and other tobacco use among children.

(2) Support medical research into

tobacco-related cancer, heart, and lung diseases.

(3) Treat people suffering from tobacco-related diseases.

(4) In recognition of the uncompensated costs of tobacco-related illness, support treatment of patients who cannot afford to pay for services.

SEC. 3. Section 12 is added to Article XIII B of the Constitution, to read:

SEC. 12. "Appropriations subject to limitation" of each entity of government shall not include appropriations of revenue from the Cigarette and Tobacco Products Surtax Fund created by the Tobacco Tax and Health Protection Act of 1988. No adjustment in the appropriations limit of any entity of government shall be required pursuant to Section 3 as a result of revenue being deposited in or appropriated from the Cigarette and Tobacco Products Surtax Fund created by the Tobacco Tax and Health Protection Act of 1988.

SEC. 4. Article 2 (commencing with Section 30121) is added to Chapter 2 of Part 13 of Division 2 of the Revenue and Taxation Code, to read:

Article 2. Cigarette and Tobacco Products Surtax

30121. For purposes of this article:

(a) "Cigarettes" has the same meaning as in Section 30003, as it read on January 1, 1988.

(b) "Tobacco products" includes, but is not limited to, all forms of cigars, smoking tobacco, chewing tobacco, snuff, and any other articles or products made of, or containing at least 50 percent, tobacco, but does not include cigarettes.

(c) "Fund" means the Cigarette and Tobacco Products Surtax Fund created by Section 30122.

30122. (a) The Cigarette and Tobacco Products Surtax Fund is hereby created in the State Treasury. The fund shall consist of all revenues deposited therein pursuant to this article. Moneys in the fund may only be appropriated for the following purposes:

(1) Tobacco-related school and community health education programs.

(2) Tobacco-related disease research.

(3) Medical and hospital care and treatment of patients who cannot afford to pay for those services, and for whom payment will not be made through any private coverage or by any program funded in whole or in part by the federal government.

(4) Programs for fire prevention; environmental

conservation; protection, restoration, enhancement, and maintenance of fish, waterfowl, and wildlife habitat areas; and enhancement of state and local park and recreation purposes.

(b) The fund consists of six separate accounts, as follows:

(1) The Health Education Account, which shall only be available for appropriation for programs for the prevention and reduction of tobacco use, primarily among children, through school and community health education programs.

(2) The Hospital Services Account, which shall only be available for appropriation for payment to public and private hospitals licensed pursuant to subdivision (a) of Section 1250 of the Health and Safety Code for the treatment of hospital patients who cannot afford to pay for that treatment and for whom payment for hospital services will not be made through private coverage or by any program funded in whole or in part by the federal government.

(3) The Physician Services Account, which shall only be available for appropriation for payment to physicians for services to patients who cannot afford to pay for those services, and for whom payment for physician

services will not be made through private coverage or by any program funded in whole or in part by the federal government.

(4) The Research Account, which shall only be available for appropriation for tobacco-related disease research.

(5) The Public Resources Account, which shall only be available for appropriation in equal amounts for both of the following:

(A) Programs to protect, restore, enhance, or maintain fish, waterfowl, and wildlife habitat on an equally funded basis.

(B) Programs to enhance state and local park and recreation resources.

(6) The Unallocated Account, which shall be available for appropriation for any purpose specified in subdivision (a).

30123. (a) In addition to the tax imposed upon the distribution of cigarettes by this chapter, there shall be imposed upon every distributor a tax upon the distribution of cigarettes at the rate of twelve and one-half mills (\$0.0125) for each cigarette distributed.

(b) There shall be imposed upon every distributor a tax upon the distribution of tobacco products, based on the wholesale cost of these products,

at a tax rate, as determined annually by the State Board of Equalization, which is equivalent to the combined rate of tax imposed on cigarettes by subdivision (a) and the other provisions of this part.

30124. (a) With the exception of payments of refunds made pursuant to Article 1 (commencing with Section 30361) of Chapter 6, and reimbursement of the State Board of Equalization for expenses incurred in the administration and collection of the tax imposed by Section 30123, pursuant to its powers vested by this part, all moneys raised pursuant to the taxes imposed by Section 30123 shall be deposited into the fund as provided in subdivision (b).

(b) Moneys shall be deposited in the fund according to the following formula:

(1) Twenty percent ~~of cigarette taxes~~ shall be deposited in the Health Education Account.

(2) Thirty-five percent shall be deposited in the Hospital Services Account.

(3) Ten percent shall be deposited in the Physician Services Account.

(4) Five percent shall be deposited in the Research Account.

(5) Five percent shall be deposited in the

Public Resources Account.

(6) Twenty-five percent shall be deposited in the Unallocated Account.

(c) Any amounts appropriated from any account specified in subdivision (b) which is not encumbered within the period prescribed by law shall revert to the account from which it was appropriated.

30125. Funds expended pursuant to this article shall be used only for the purposes expressed in this article and shall be used to supplement existing levels of service and not to fund existing levels of service.

30126. The annual determination required of the State Board of Equalization pursuant to subdivision (b) of Section 30122³ shall be made based on the wholesale cost of tobacco products as of March 1, and shall be effective during the state's next fiscal year.

30128. This article shall take effect on January 1, 1989.

30129. The tax imposed by Section 30122³ shall be imposed on every cigarette and tobacco product in the possession or under the control of every dealer and distributor on and after 12:01 a.m. on January 1, 1989, pursuant to rules and regulations promulgated by the State Board of Equalization.

30130. This article may be amended only by vote of four-fifths of the membership of both houses of the Legislature. All amendments to this article must be consistent with its purposes.

SEC. 6. If any section, of this measure, or part thereof, is for any reason held to be invalid or unconstitutional, the remaining sections shall not be affected but will remain in full force and effect.

Barbara 419

NEWS RELEASE

from: Secretary of State March Fong Eu
1230 J Street, Sacramento, CA 95814
(916) 445-6375

For Immediate Release
December 7, 1987

Contact: Melissa Warren

THREE NEW INITIATIVES ENTER CIRCULATION, REPORTS EU

SACRAMENTO — Proponents of measures that would increase the tax on cigarettes and tobacco products, guarantee private ownership of firearms and reinstate funding for the Cal-OSHA program have been given the green light to begin gathering signatures, Secretary of State March Fong Eu announced today (Dec. 7).

Neil C. Andrews and Carolyn Martin of the Coalition for a Healthy California are heading the drive to qualify "Cigarette and Tobacco Tax. Benefit Fund." initiative constitutional amendment and statute for the ballot. They must collect signatures of 595,485 registered voters and submit them to county elections officials by May 2 in order to place their proposal before the voters at the Nov. 1988 general election.

If adopted by the voters, the measure would impose on cigarette distributors an additional tax of one and one-fourth (1¼¢) for each cigarette distributed. A tax equivalent to the combined rate of that imposed on cigarettes would be imposed on distributors of other tobacco products, which includes, but is not limited to, "all form of cigars, smoking tobacco, chewing tobacco, snuff, and any other articles . . . containing at least 50 percent tobacco. . . ." The State Board of Equalization would determine this tax annually. Moneys generated by the tax would be deposited in the newly created Cigarette and Tobacco Products Surtax Fund to be used for research and treatment of tobacco related diseases, school and community health education programs about tobacco, fire prevention and environmental conservation and damage restoration programs. Further, such revenues would be exempted from the government appropriations limit.

(over)

Proponents can be reached in Sacramento at (916) 448-0500 or in Los Angeles at (213) 937-6464.

Carl Murphy of Lompoc, telephone (805) 735-1140, and Bernadine Smith of Hanford, telephone (209) 584-8652 or 584-5209, are gathering signatures to qualify a measure that would bar the Legislature and public officials from prohibiting private ownership of firearms or ammunition, confiscating privately-owned firearms or ammunition, or restricting or denying the right to purchase, own, possess, sell, lease, loan, manufacture, transport, or use arms "for the purpose of defense of person, family, home, or property, regardless of any condition that may exist, including a declaration of State of national emergency." The provisions of the measure would not apply to felons or to individuals legally declared mentally incompetent.

This measure is also a constitutional amendment needing 595,485 signatures by May 2 to qualify for the Nov. ballot.

John F. Henning, Executive Secretary-Treasurer of the California Labor Federation, is the proponent of an initiative statute titled "State Occupational Safety and Health Plan." In 1987, the governor took action to withdraw the state's occupational safety and health plan and to reduce its funding. This measure would require that funds be budgeted for the state plan and that steps be taken to prevent withdrawal of federal approval or, if approval were withdrawn, to submit a new plan.

Proponent Henning must submit 372,178 signatures of registered voters by May 2 if he is to place the measure on the ballot at the general election. He may be reached at (415) 986-3585.

Copies of the initiatives, their circulation calendars and titles and summaries are attached.

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9841MW

COALITION for a HEALTHY CALIFORNIA

October 9, 1987

American Cancer Society
California Division
American Heart Association
California Affiliate
American Lung Association
of California
Blue Cross
of California
Americans for
Non-Smokers Rights
California Association of
School Health Educators
California Association for
Medical Laboratory Technology
California Dental Association
California Hospital Association
California Medical Society
California Nurses Association
California Public Health
Association
California School Boards
Association
California Society of
Podiatrists
California State Fireman's
Association
California Thoracic Society
Campaign California
Health Officers Association
of California
The Planning and Conservation
League of California

Attorney General John Van de Kamp
State of California
1515 K street
Sacramento, CA 95814

Dear Mr. Van de Kamp:

We the undersigned proponents of the attached Tobacco Tax and Health Protection Act officially request Title and Summary of the enclosed proposed text from the Attorney General's office.

Enclosed herewith is a check in the amount of \$200 for the required filing fee.

The addresses at which we proponents are registered to vote are as follows:

Neil C. Andrews
3271 Clubhouse Drive
El Macero, CA 95618

Carolyn Martin
1077 Castec
Sacramento, CA 95864

Thank you for your prompt attention in this matter.

Sincerely,

Neil C. Andrews, M.D.,
President
American Cancer Society
California Division

Carolyn Martin,
Vice President
American Lung Association
of California

78 OCT 16 AM 10:17

RECEIVED

30127. Funds expended pursuant to this article shall be used only for the purposes expressed in this article, shall be in addition to any amounts usually appropriated through the annual budget process, and shall not be used to reduce or supplant those appropriations.

30128. The annual determination required of the Board of Equalization pursuant to subdivision (b) of Section 30123 shall be made based on the wholesale cost of tobacco products as of March 1 and shall be effective during the next fiscal year.

30129. This article shall take effect on and after 12:01 a.m. January 1, 1989.

30130. The tax imposed by Section 30123 shall be imposed on every cigarette and tobacco product in the possession or under the control of every dealer and distributor at 12:01 a.m. on January 1, 1989, pursuant to rules and regulations promulgated by the Board of Equalization.

30131. With the exception of Section 30126, this Article may be amended only by a two-thirds vote of the Legislature. Section 30126 may be amended only by a four-fifths vote of the legislature. All amendments to this article must be consistent with its purposes.

30132. If any section, or part thereof, is for any reason held to be invalid or unconstitutional, the remaining sections shall not be affected but will remain in full force and effect.

incurred in the administration and collection of the tax imposed by Section 30123, pursuant to its powers vested by this part, all moneys deposited into the Cigarette and Tobacco Products Surtax Account shall be appropriated only for the following purposes:

(a) For tobacco-related school and community health education programs.

(b) For tobacco-related disease research and treatment, including, but not limited to, Medi-Cal program services and treatment of patients unable to pay, for whom third party payment for hospital or medical services is not otherwise available.

(c) For fire prevention, and environmental conservation and damage restoration programs.

30126. In allocating the moneys in the Cigarette and Tobacco Funds Surtax Account pursuant to Section 30125, the Legislature shall at a minimum annually allocate:

(a) Twenty percent of the funds to the prevention and reduction of smoking primarily among children through school and community health education programs.

(b) Twenty percent of the funds for treatment of hospital patients unable to pay, for whom third party payment for hospital or medical services is not otherwise available.

(c) Five percent of the funds for research.

(d) Five percent of the funds to be equally divided between (1) programs which protect, restore, enhance and maintain fish, waterfowl and wildlife habitat areas, and (2) programs to enhance State and local park and recreational resources.

30122. For purposes of this article:

(a) "Tobacco Products" includes, but is not limited to, all forms of cigars, smoking tobacco, chewing tobacco, snuff, and any other articles or products made of, or containing at least fifty percent, tobacco, but does not include cigarettes as defined by the Cigarette Tax Law as of January 1, 1987.

(b) "Tobacco-related," as used in subdivisions (a) and (b) of Section 30125, shall be defined by the Director of the Department of Health Services.

30123. (a) In addition to the tax imposed upon the distribution of cigarettes by this chapter, there shall be imposed upon every distributor a tax upon the distribution of cigarettes at the rate of twelve and one-half mills (\$0.0125) for each cigarette distributed.

(b) There shall be imposed upon every distributor a tax upon the distribution of tobacco products, based on the wholesale cost of these products, at a tax rate, as determined annually by the State Board of Equalization, which is proportionate to the combined rate of tax imposed on cigarettes by subdivision (a) and the other provisions of this part.

30124. All moneys raised pursuant to the tax imposed by Section 30123 shall be deposited into the Cigarette and Tobacco Products Surtax Account.

30125. With the exception of payments of refunds made pursuant to Article 1 (commencing with Section 30361) of Chapter 6, and reimbursement of the Board of Equalization for expenses

THE TOBACCO TAX AND HEALTH PROTECTION ACT OF 1988

SECTION 1. Tobacco use is the single most preventable cause of death and disease in America. In addition to immense suffering and personal loss, tobacco related diseases create a staggering economic cost which all Californians have to pay.

To help prevent cancer, heart and lung disease and to reduce the economic costs of tobacco use in California, it is the intent of the people of California to increase the State Tax on tobacco products and achieve the following objectives:

- * reduce smoking and other tobacco use among children;
- * support medical research in cancer, heart and lung diseases;
- * reduce the financial burden on taxpayers for treating people suffering from smoking-related diseases.

SECTION 2. Article 2 (commencing with Section 30121) is added to chapter 2 of Part 13 of Division 2 of the Revenue and Taxation Code, to read:

Article 2. Cigarette and Tobacco Products Surtax

30121. The Cigarette and Tobacco Products Surtax Account is hereby created in the State Treasury.

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

The Attorney General of California has prepared the following title and summary of the chief purpose and points of the proposed measure:

(Here set forth the title and summary prepared by the Attorney General. This title and summary must also be printed across the top of each page of the petition whereon signatures are to appear.)

TO THE HONORABLE SECRETARY OF STATE OF CALIFORNIA

We, the undersigned, registered, qualified voters of California, resident of ____ County (or City and County), hereby propose a statute, relating to cigarette taxation, and petition the Secretary of State to submit the same to the voters of California for their adoption or rejection at the next succeeding general election or at any special statewide election prior to that general election or otherwise as provided by law. The proposed statute reads as follows:

NEWS RELEASE

from: Secretary of State March Fong Eu
1230 J Street, Sacramento, CA 95814
(916) 445-6375

For Immediate Release
June 1, 1988

Contact: Caren Daniels-Meade or
Melissa Warren

SCHOOL FUNDING AND TOBACCO TAX MEASURES QUALIFY FOR NOVEMBER

SACRAMENTO — Secretary of State March Fong Eu announced today (June 1) that two more initiative measures, one dealing with school funding and one to increase cigarette and tobacco taxes, have qualified for the Nov. 8 general election ballot.

Proponents of "School Funding for Instructional Improvement and Accountability" submitted 1,125,733 signatures to county elections officials. Random sample reports from 53 of the 58 counties indicate that 827,895 signatures are deemed valid, well in excess of the 655,034 needed to qualify by that method. As a constitutional amendment, the measure required 595,485 signatures to earn a spot on the ballot.

California Teachers Association President Ed Foglia headed the drive to qualify the measure. It would establish a minimum level of state funding for school and community districts and transfer to such districts, with specified limits, all state revenues in excess of the state appropriations limit and exempt these excess funds from the limit. Districts would be required to use these funds solely for instructional improvement and accountability. They would also be required to report student achievement, drop-out rates, expenditures per student, progress toward reducing class size and teaching loads, classroom discipline, curriculum, quality of teaching, and other school matters.

(over)

Proponent Foglia can be reached at (415) 697-1400.

"Cigarette and Tobacco Tax. Benefit Fund" is also an initiative constitutional amendment. Its proponents turned in 1,124,705 signatures, of which 738,923 are deemed valid by the 49 counties reporting random sample results.

If adopted by the voters, the measure would impose on cigarette distributors an additional tax of one and one-fourth cent (1¼¢) for each cigarette distributed. A tax equivalent to the combined rate of that imposed on cigarettes would be imposed on distributors of other tobacco products, which includes, but is not limited to, "all forms of cigars, smoking tobacco, chewing tobacco, snuff, and any other articles . . . containing at least 50 percent tobacco. . . ." The State Board of Equalization would determine this tax annually. Money generated by the tax would be deposited in the newly created Cigarette and Tobacco Products Surtax Fund to be used for research and treatment of tobacco-related diseases, school and community health education programs about tobacco, fire prevention and environmental conservation and damage restoration programs. Further, such revenues would be exempted from the government appropriations limit.

Proponents Neil C. Andrews and Carolyn Martin of the Coalition for a Healthy California can be reached in Sacramento at (916) 448-0500 or in Los Angeles at (213) 937-6464.

Qualification of these two initiatives brings the total number of measures thus far placed on the November ballot to 13. They join eight legislative bond measures and three previously qualified initiatives.

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INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

The Attorney General of California has prepared the following title and summary of the chief purpose and points of the proposed measure:

(Here set forth the title and summary prepared by the Attorney General. This title and summary must also be printed across the top of each page of the petition whereon signatures are to appear.)

Type: Roman
Boldface not
smaller than
12-point

TO THE HONORABLE SECRETARY OF STATE OF CALIFORNIA

We, the undersigned, registered, qualified voters of California, resident of ____ County (or City and County), hereby propose amendments to the Constitution and statutes of California, relating to the imposition and distribution of excise taxes on cigarette and tobacco products, and petition the Secretary of State to submit the same to the voters of California for their adoption or rejection at the next succeeding general election or at any special statewide election prior to that general election or otherwise as provided by law. The proposed

*Added
Afterwards* constitutional and statutory amendments reads as follows:

TOBACCO TAX AND HEALTH PROTECTION ACT OF 1988

SECTION 1. This measure shall be known and may be cited as the Tobacco Tax and Health Protection Act of 1988.

SEC. 2. The people find and declare as follows:

(a) Tobacco use is the single most preventable cause of death and disease in America.

(b) Tobacco-related diseases create immense suffering and personal loss, and a staggering economic cost which all Californians have to pay.

(c) Tobacco-related diseases are a major burden on state and local governments by requiring them to provide medical care and health services.

(d) Tobacco use causes substantial environmental damage, and property damage and loss of life due to fire.

(e) To reduce the incidence of cancer, heart, and lung disease and to reduce the economic costs of tobacco use in California, it is the intent of the people of California to increase the state tax ^{cigarettes and} on tobacco products and do all of the following:

(1) Reduce smoking and other tobacco use among children.

(2) Support medical research into



Office of the Secretary of State
March Fong Eu

Executive Office
1230 J Street
Sacramento, California 95814

(916) 445-6371

June 1, 1988

Neil C. Andrews
American Cancer Society
1029 K Street, Suite 44
Sacramento, California 95814

Dear Mr. Andrews:

Pursuant to Elections Code § 3523, I hereby certify that on June 1, 1988 the certificates received from the County Clerks or Registrars of Voters by the Secretary of State established that the Initiative Statute and Constitutional Amendment, CIGARETTE AND TOBACCO TAX. BENEFIT FUND, has been signed by the requisite number of qualified electors needed to declare the petition sufficient. The CIGARETTE AND TOBACCO TAX. BENEFIT FUND is, therefore, qualified for the November 8, 1988 General Election.

Sincerely,

MARCH FONG EU

MFE/1/gw





Office of the Secretary of State
March Fong Eu

Executive Office
1230 J Street
Sacramento, California 95814

(916) 445-6371

June 1, 1988

Carolyn Martin
1077 Castec
Sacramento, California 95864

Dear Ms. Martin:

Pursuant to Elections Code § 3523, I hereby certify that on June 1, 1988 the certificates received from the County Clerks or Registrars of Voters by the Secretary of State established that the Initiative Statute and Constitutional Amendment, CIGARETTE AND TOBACCO TAX. BENEFIT FUND, has been signed by the requisite number of qualified electors needed to declare the petition sufficient. The CIGARETTE AND TOBACCO TAX. BENEFIT FUND is, therefore, qualified for the November 8, 1988 General Election.

Sincerely,

MARCH FONG EU

MFE/1/gw





Office of the Secretary of State
March Fong Eu

Executive Office
1230 J Street
Sacramento, California 95814

(916) 445-6371

June 1, 1988

Mr. Darryl White
Secretary of the Senate
State Capitol, Room 3045
Sacramento, California 95814

Dear Mr. White:

Pursuant to Section 3523.1 of the Elections Code as added by SB 1412 (Chapter 642, Statutes of 1980), I am hereby transmitting to you two (2) copies of the initiative entitled: CIGARETTE AND TOBACCO TAX. BENEFIT FUND. INITIATIVE STATUTE AND CONSTITUTIONAL AMENDMENT. This initiative has qualified for the November 8, 1988 General Election.

Sincerely,

A handwritten signature in cursive script that reads "March Fong Eu".

MARCH FONG EU

MFE/1/gw

Enclosures



Office of the Secretary of State
March Fong Eu

Executive Office
1230 J Street
Sacramento, California 95814

(916) 445-6371

June 1, 1988

Mr. Brian Kidney
Office of the Chief Clerk
State Capitol, Room 3196
Sacramento, California 95814

Dear Mr. Kidney:

Pursuant to Section 3523.1 of the Elections Code as added by SB 1412 (Chapter 642, Statutes of 1980), I am hereby transmitting to you two (2) copies of the initiative entitled: CIGARETTE AND TOBACCO TAX. BENEFIT FUND. INITIATIVE STATUTE AND CONSTITUTIONAL AMENDMENT. This initiative has qualified for the November 8, 1988 General Election.

Sincerely,

A handwritten signature in cursive script that reads "March Fong Eu".

MARCH FONG EU

MFE/1/gw

Enclosures



JOHN K. VAN DE KAMP
Attorney General

State of California
DEPARTMENT OF JUSTICE



1515 K STREET, SUITE 511
P.O. BOX 944255
SACRAMENTO 94244-2550
(916) 445-9555

(916) 323-1995

December 4, 1987

NEIL C. ANDREWS
American Cancer Society
1029 K Street Mall, Suite 26
Sacramento, CA 95814

CAROLYN MARTIN
1077 Castec
Sacramento, CA 95864

Initiative Title and Summary.
Subject: CIGARETTE AND TOBACCO TAX. BENEFIT FUND.
CONSTITUTIONAL AMENDMENT. INITIATIVE STATUTE.
Our File No: SA 87 RF 0028

Pursuant to your request, we have prepared the attached title and summary of the chief purposes and points of the above identified proposed initiative. A copy of our letter to the Secretary of State, as required by Elections Code sections 3503 and 3513, our declaration of mailing, and the text of your proposal that was considered is attached.

The Secretary of State will be sending you shortly a copy of the circulating and filing schedule for your proposal that will be issued by that office.

Please send us a copy of the petition after you have it printed. This copy is not for our review or approval, but to supplement our file in this matter.

Very truly yours,

JOHN K. VAN DE KAMP
Attorney General

A handwritten signature in cursive script, reading "Floyd D. Shimomura", is written over the typed name.

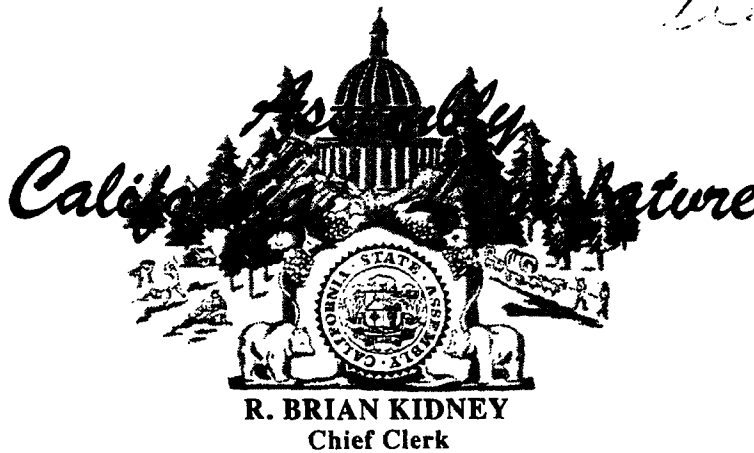
FLOYD D. SHIMOMURA
Deputy Attorney General

FDS:rrc
Enclosures



State Capitol
P.O. Box 942849
Sacramento, CA 94249-0001

414
Telephone: 445-3614



June 21, 1988

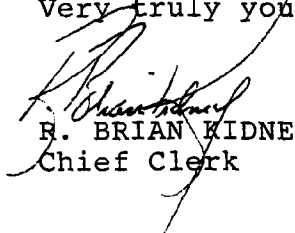
Hon. March Fong Eu
Secretary of State
1230 "J" Street
Sacramento, CA 95814

Dear Dr. Eu:

This is to acknowledge receipt of your recent communications transmitting copies of initiatives entitled (1) Motor Vehicle Accident Claims and Insurance Rates. Initiative Statute, (2) Cigarette and Tobacco Tax. Benefit Fund. Initiative Statute and Constitutional Amendment, (3) School Funding for Instructional Improvement and Accountability. Constitutional Amendment and Initiative Statute, (4) State Occupational Safety and Health Plan. Initiative Statute, and (5) Communicable Disease Tests. Initiative Statute (all of the above pursuant to Section 3523.1, Elections Code).

Your communications and initiatives have been presented to the Speaker (see Assembly Journal for June 13, 1988, page 8305, for item (1) above, and Assembly Journal for June 15, 1988, page 8396, for items (2) through (5) above).

Very truly yours,


R. BRIAN KIDNEY
Chief Clerk

RBK:eh

INITIATIVE CHECK LIST

Phone Notification from AG - Date/Time: 12/3/87 - 3:35
 Title of Initiative: Cigarette and Tobacco Tax. BENEFIT FUND.
 Type of Initiative: CA S ✓ CA and S
 Number of Pages 9 Number of Proponents 2
 Date and Time Initiative will be ready for pick-up 12/4/87 - 1:00

Initial/Date/Time

1. da 11/23/3:40 OSSI informs Deborah/David/Barbara/Caren and Don day and time initiative will be ready for pick-up.
2. da 11/23/3:45 OSSI gives check list to Word Processing Technician to prepare calendar.
3. da 11/23/4:00 Word Processing Technician prepares and proofs calendar and log and returns both to OSSI.
4. da 11/23/4:01 OSSI proofs calendar and log and gives to Elections ~~Chief~~ Analyst for review.
5. bl 11/24/8:00 Elections Analyst reviews and has Elections Chief sign. Elections Analyst returns signed calendar to OSSI.
6. da 11/24/3:55 OSSI makes copies of initiative calendar for each proponent.
7. da 11/24/4:10 OSSI attaches copy of Political Reform Act of 1974 Requirements to proponent's copy of initiative calendar.
8. da 11/24/4:14 OSSI prepares Mail/Freight Request Form. OSSI hand carries Mail/Freight Request form and initiative calendar for each proponent (ready for mailing) to Service and Supply. Initiative calendar sent on 12/4/87 to each proponent.
Date

(This must be sent to each proponent same day AG prepares Title and Summary).

9. da 12/4/14:30 OSSI advises Assistant Chief when initiative calendar is sent to proponent(s).

INITIATIVE CALENDAR CHECK LIST
Page two

10. DA 11/24/4 24 OSSI distributes copies of initiative calendar same day AG prepares Title and Summary to:
- ☒ Tony
 - ☒ Caren
 - ☒ Jerry
 - ☒ Deborah
 - ☒ Barbara
11. DA 11/28/10:00 OSSI distributes copies of initiative calendar to:
- ☒ All CC/ROV
 - ☒ Political Reform (3 copies)
 - ☒ Elections Staff
 - ☒ LA Office via LA Pouch - J.R. Schultz (12 copies)
 - ☒ Initiative mailing list
 - ☒ Extra copies for public distribution
 - ☒ Master copy
12. DA 11/28/15:00 OSSI advises Assistant Chief of completion of above distribution.
13. ^{AP}
~~DA~~ 11/24/15:00 OSSI makes copies of log and distributes as follows:
1. Initiative canvass binder
 2. Ron Wong - FTB
 3. Joe Samora - Archives
14. AP 11/24/15:00 OSSI prepares folder for public distribution.
15. AP 11/24/15:00 OSSI prepares index cards for each initiative.
16. DA 11/24/14:14 OSSI staples Mail/Freight Request form to back of INITIATIVE CHECK LIST.
17. DA 11/28/13:50 OSSI returns completed INITIATIVE CHECK LIST to Assistant Chief.
18. AP 11/28/12:25 Assistant Chief returns check list to Election Analyst.

ELECTIONS DIVISION
MAIL/FREIGHT REQUEST

Mail Submitted to Mail Room

12/4/87 4:14
Date Time

Request mail to be sent no later than

12/4/87
Date

MAIL:

- ☒ 1st Class
☐ Bulk
☐ Book Rate
☐ Presort
☐ Third Class

CHARGES:

Amount: 394.

Pieces: 2.

FREIGHT:

- ☐ UPS
☐ Purolator
☐ Greyhound (Next bus out: Yes ____ No ____)
☐ Air-Freight
☐ Truck Lines

ACTIVITY:

- ☐ Outreach (Specify: _____)
☐ County Mailings (#'s: _____)
☐ Ballot Pamphlet
☐ Other (Specify: _____)
☒ Initiative Calendar to Proponent(s).

Mail room sent requested mail on

AS

12/4/87
Initial (Service and Supply)

DECLARATION OF MAILING

The undersigned Declarant, states as follows:

I am over the age of 18 years and not a proponent of the within matter; my place of employment and business address is 1515 K Street, Suite 511, Sacramento, California 95814.

On the date shown below, I mailed a copy of copies of the attached letter to the proponents, by placing a true copy thereof in an envelope addressed to the proponents named below at the addresses indicated, and by sealing and depositing said envelope or envelopes in the United States mail at Sacramento, California, with postage prepaid. There is delivery service by United States mail at each of the places so addressed, or there is regular communication by mail between the place of mailing and each of the places so addressed.

Date of Mailing: December 4, 1987

Subject: CIGARETTE AND TOBACCO TAX. BENEFIT FUND.
CONSTITUTIONAL AMENDMENT. INITIATIVE STATUTE.

Our File No.: SA 87 RF 0028


Name of Proponents and Addresses:

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I declare under penalty of perjury that the foregoing is true and correct.

Executed at Sacramento, California December 4, 1987.


ROSEMARY R. CALDERON
Declarant
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